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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chairperson

Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

A
General

The General Assembly,

Having considered the questions of the Non-Self-Governing Territories of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands, hereinafter referred to as "the Territories",

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[1]

Recalling all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its sixty-first session on the individual Territories covered by the present resolution,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

[1] To be issued as *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. IX.

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Recalling its resolution 1541 (XV), containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 *e* of the Charter of the United Nations,

Expressing concern that more than forty-seven years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[2] there still remain a number of Non-Self-Governing Territories,

Conscious of the importance of continuing effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2010 and the plan of action for the Second International Decade for the Eradication of Colonialism,[3]

Recognizing that the specific characteristics and the aspirations of the peoples of the Territories require flexible, practical and innovative approaches to the options of self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Noting the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland, and the stated position of the Government of the United States of America in the Non-Self-Governing Territories under their administration,

Noting also the stated positions of the representatives of the Non-Self-Governing Territories before the Special Committee and in its regional seminars,

Noting further the constitutional developments in some Non-Self-Governing Territories affecting the internal structure of governance about which the Special Committee has received information,

Aware of the importance both to the Territories and to the Special Committee of the participation of elected and appointed representatives of the Territories in the work of the Special Committee,

Convinced that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Convinced also that any negotiations to determine the status of a Territory must take place with the active involvement and participation of the people of that Territory, under the aegis of the United Nations, on a case-by-case basis, and that the views of the peoples of the Non-Self-Governing Territories in respect of their right to self-determination should be ascertained,

Noting that a number of Non-Self-Governing Territories have expressed concern at the procedure followed by some administering Powers, contrary to the wishes of the Territories themselves, of amending or enacting legislation for application to the Territories, either through orders in council, in order to apply to the Territories the international treaty obligations of the administering Power, or through the unilateral application of laws and regulations,

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[2] Resolution 1514 (XV).

[3] A/56/61, annex.

Aware of the importance of the international financial services sector for the economies of some of the Non-Self-Governing Territories,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

Mindful that United Nations visiting and special missions provide an effective means of ascertaining the situation in the Territories, that some Territories have not received a United Nations visiting mission for a long time and that no visiting missions have been sent to so ne of the Territories, and considering the possibility of sending further visiting missions to the Territories at an appropriate time and in consultation with the administering Powers,

Mindful also that, in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for it to be apprised by the administering Powers and to receive information from other appropriate sources, including the representatives of the Territories, concerning the wishes and aspirations of the peoples of the Territories,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the peoples of the Territories in gaining a better understanding of the options of self-determination,

Mindful, in this connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate, and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

Mindful also that the 2008 Pacific regional seminar was held in Bandung, Indonesia, from 14 to 16 May,

Conscious of the particular vulnerability of the Territories to natural disasters and environmental degradation, and, in this connection, bearing in mind the applicability to the Territories of the programmes of action of all United Nations world conferences[4] and special sessions of the General Assembly in the economic and social sphere,

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[4] See *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum); *Report of the World Conference on Natural Disaster Reduction, Yokohama, Japan, 23-27 May 1994* (A/CONF.172/9), chap. I; *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April-6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I; *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex; *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II; and *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

Noting with appreciation the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

Aware that the Human Rights Committee, as part of its mandate under the International Covenant on Civil and Political Rights,[5] reviews the status of the self-determination process, including in small island Territories under examination by the Special Committee,

Recalling the ongoing efforts of the Special Committee in carrying out a critical review of its work with the aim of making appropriate and constructive recommendations and decisions to attain its objectives in accordance with its mandate,

Recognizing that the annual background working papers prepared by the Secretariat on developments in each of the small Territories,[6] as well as the substantive documentation and information furnished by experts, scholars, non-governmental organizations and other sources, have provided important inputs to update the present resolution,

1. *Reaffirms* the inalienable right of the peoples of the Territories to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Also reaffirms* that, in the process of decolonization, and where there is no dispute over sovereignty, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Further reaffirms* that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection reiterates its long-standing call for the administering Powers, in cooperation with the territorial Governments and appropriate bodies of the United Nations system, to develop political education programmes for the Territories in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in General Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

4. *Requests* the administering Powers to transmit regularly to the Secretary-General information called for under Article 73 *e* of the Charter;

5. *Stresses* the importance of the Special Committee being apprised of the views and wishes of the peoples of the Territories and enhancing its understanding

[5] See resolution 2200 A (XXI), annex.

[6] A/AC.109/2008/2, 6, 7, 10-12 and 17.

of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Non-Self-Governing Territories and their respective administering Powers;

6. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and recommends that priority continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

7. *Requests* the Territories and the administering Powers to take all necessary measures to protect and conserve the environment of the Territories against any degradation, and once again requests the specialized agencies concerned to continue to monitor environmental conditions in the Territories and to provide assistance to those Territories, consistent with the prevailing rules of procedure of the agencies concerned;

8. *Welcomes* the participation of the Non-Self-Governing Territories in regional activities, including the work of regional organizations;

9. *Stresses* the importance of implementing the plan of action for the Second International Decade for the Eradication of Colonialism,[3] in particular by expediting the application of the work programme for the decolonization of each Non-Self-Governing Territory, on a case-by-case basis, as well as by ensuring that periodic analyses are undertaken of the progress and extent of the implementation of the Declaration in each Territory, and that the working papers prepared by the Secretariat on each Territory should fully reflect developments in those Territories;

10. *Calls upon* the administering Powers to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration, and in order to advise the Special Committee on the implementation of provisions under Article 73 *b* of the Charter on efforts to promote self-government in the Territories, and encourages the administering Powers to facilitate visiting and special missions to the Territories;

11. *Urges* Member States to contribute to the efforts of the United Nations to usher in a world free of colonialism within the Second International Decade for the Eradication of Colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

12. *Stresses* the importance of the constitutional reviews in the respective Territories administered by the United Kingdom of Great Britain and Northern Ireland and the United States of America, and led by the territorial Governments, designed to address internal constitutional structures within the present territorial arrangements, and decides to follow closely the developments concerning the future political status of those Territories;

13. *Requests* that the Secretary-General report to the General Assembly at its sixty-fourth session on the implementation of decolonization resolutions adopted since the declaration of the First and Second International Decades for the Eradication of Colonialism;

14. *Reiterates its request* that the Human Rights Committee collaborate with the Special Committee, within the framework of its mandate on the right to self-determination as contained in the International Covenant on Civil and Political

Rights,[5] with the aim of exchanging information, given that the Human Rights Committee is mandated to review the situation, including political and constitutional developments, in many of the Non-Self-Governing Territories that are within the purview of the Special Committee;

15. *Requests* the Special Committee to collaborate with the Economic and Social Council and its relevant subsidiary intergovernmental bodies, within the framework of their respective mandates, with the aim of exchanging information on developments in those Non-Self-Governing Territories which are reviewed by those bodies;

16. *Also requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territories and to report thereon to the General Assembly at its sixty-fourth session and on the implementation of the present resolution.

B

Individual Territories

The General Assembly,

Referring to resolution A above,

I. American Samoa

Taking note of the working paper prepared by the Secretariat on American Samoa[7] and other relevant information,

Aware that under United States law the Secretary of the Interior has administrative jurisdiction over American Samoa,[8]

Noting the position of the administering Power and the statements made by representatives of American Samoa in regional seminars expressing satisfaction with the Territory's present relationship with the United States of America,

Aware of the work of the Future Political Status Study Commission, completed in 2006, and the release of its report, with recommendations, in January 2007, to help the Territory study alternative forms of future political status open to American Samoa and to assess the advantages and disadvantages of each,

Noting, in that regard, the information contained in the paper provided by the Chairman of the 2006 American Samoa Future Political Status Study Commission and distributed at the 2008 Pacific regional seminar requesting the Special Committee to review the Territory's status as a Non-Self-Governing Territory, with a view to accepting the Territory's future political status once chosen by its people,

Aware that American Samoa continues to be the only United States Territory to receive financial assistance from the administering Power for the operations of the territorial Government, and calling upon the administering Power to assist the territorial Government in the diversification of its economy,

[7] A/AC.109/2008/3.

[8] United States Congress, 1929 (48 U.S.C. Sec. 1661, 45 Stat. 1253), and Secretary's Order 2657, Department of the Interior, United States of America, 1951, as amended.

1. *Welcomes* the work of the territorial Government and legislature with regard to the recommendations made by the Future Political Status Study Commission of the Territory in preparation for a constitutional convention addressing issues related to the future status of American Samoa;

2. *Stresses* the importance of the invitation previously extended to the Special Committee by the Governor of American Samoa to send a visiting mission to the Territory, calls upon the administering Power to facilitate such a mission if the territorial Government so desires, and requests the Chairperson of the Special Committee to take all the necessary steps to that end;

3. *Requests* the administering Power to assist the Territory by facilitating its work concerning a public awareness programme recommended by the Future Political Status Study Commission in its 2007 report, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

II. Anguilla

Taking note of the working paper prepared by the Secretariat on Anguilla[9] and other relevant information,

Recalling the holding of the 2003 Caribbean regional seminar in Anguilla, hosted by the territorial Government and made possible by the administering Power, the first time that the seminar had been held in a Non-Self-Governing Territory,

Taking note of the internal constitutional review process resumed by the territorial Government in 2006, the work of the Constitutional and Electoral Reform Commission, which prepared its report in August 2006, and the holding of public and other consultative meetings in 2007 on proposed constitutional amendments to be presented to the administering Power, as well as of the territorial Government's recent decision to revisit the recommendations of the Commission, in order to move the process forward, with the aim of seeking full internal self-government;

Aware that the Government intends to continue its commitment to high-end tourism and the implementation of various regulations in the financial services sector,

Noting the participation of the Territory as an associate member in the Caribbean Community, the Organization of Eastern Caribbean States and the Economic Commission for Latin America and the Caribbean,

1. *Welcomes* the work of the Constitutional and Electoral Reform Commission and its report of 2006, the holding of public and other consultative meetings in 2007, with the aim of making recommendations to the administering Power on proposed changes to the Constitution of the Territory and the subsequent efforts of the territorial Government to advance the internal constitutional review exercise;

2. *Stresses* the importance of the previously expressed desire of the territorial Government for a visiting mission by the Special Committee, calls upon the administering Power to facilitate such a mission, if the territorial Government so

[9] A/AC.109/2008/7.

desires, and requests the Chairperson of the Special Committee to take all the necessary steps to that end;

3. *Requests* the administering Power to assist the Territory by facilitating its work concerning public consultative outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

III. Bermuda

Taking note of the working paper prepared by the Secretariat on Bermuda[10] and other relevant information,

Conscious of the different viewpoints of the political parties on the future status of the Territory, and noting a recent survey by local media on the matter,

Recalling the dispatch of the United Nations special mission to Bermuda in 2005 at the request of the territorial Government and with the concurrence of the administering Power, which provided information to the people of the Territory on the role of the United Nations in the process of self-determination, on the legitimate political status options as clearly defined in General Assembly resolution 1541 (XV) and on the experiences of other small States that have achieved a full measure of self-government,

1. *Stresses* the importance of the 2005 report of the Bermuda Independence Commission, which provides a thorough examination of the facts surrounding independence, and regrets that the plans for public meetings and the presentation of a Green Paper to the House of Assembly followed by a White Paper outlining the policy proposals for an independent Bermuda have so far not materialized;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public educational outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

IV. British Virgin Islands

Taking note of the working paper prepared by the Secretariat on the British Virgin Islands[11] and other relevant information,

Recalling the 1993 report of the Constitutional Commissioners, the 1996 debate on the report in the Legislative Council of the Territory, the establishment of the Constitutional Review Commission in 2004, the completion in 2005 of its report providing recommendations on internal constitutional modernization and the debate held in 2005 on the report in the Legislative Council, as well as the negotiations between the administering Power and the territorial Government, which resulted in the adoption of the new Constitution of the Territory in 2007,

Noting that the 2007 Constitution of the British Virgin Islands provides for a Governor, who maintains reserved powers in the Territory, to be appointed by the administering Power,

[10] A/AC.109/2008/10 and Corr.1.

[11] A/AC.109/2008/2.

Noting also the statement made by an expert from the Territory at the 2008 Pacific regional seminar, who presented an analysis of the recently concluded constitutional review process,

Noting further that the Territory continues to emerge as a leading offshore financial centre, with unprecedented growth in its financial and tourism services sectors,

Cognizant of the potential usefulness of regional ties for the development of a small island Territory,

1. *Welcomes* the new Constitution of the British Virgin Islands, which took effect in June 2007, and notes the need expressed by the territorial Government for minor constitutional amendments in the years to come;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the efforts made by the Territory to focus its economic base more on local ownership and on professional service industries other than financial services;

4. *Appreciates* the efforts made to continue the work of the Inter-Virgin Islands Council between the elected Governments of the British Virgin Islands and the United States Virgin Islands to advance cooperation between the two neighbouring Territories;

V. Cayman Islands

Taking note of the working paper prepared by the Secretariat on the Cayman Islands[12] and other relevant information,

Aware of the 2002 report of the Constitutional Modernization Review Commission, which contained a draft constitution for the consideration of the people of the Territory, the 2003 draft constitution offered by the administering Power and the subsequent discussions between the Territory and the administering Power in 2003, the reopened discussions between the administering Power and the territorial Government in 2006 on internal constitutional modernization, with the aim of ascertaining the views of the people by way of referendum,

Noting with interest the establishment of the Cayman Islands Constitutional Review Secretariat, which began its work in March 2007 in support of the Territory's constitution modernization initiative, which comprises four phases with regard to constitutional reform, including research and publicity, consultation and public education, a referendum on reform proposals, and negotiations between the administering Power and the territorial Government,

Acknowledging the indication by the territorial Government that certain cost-of-living issues, such as inflation, continue to be a cause for concern,

1. *Welcomes* the publication by the territorial Government of a consultation paper in January 2008 setting out a number of proposals for constitutional reform,

[12] A/AC.109/2008/11.

with a view to holding a referendum on those proposals, or revised proposals, later in the year;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public awareness outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the efforts made by the territorial Government to address cost-of-living issues in various economic sectors;

VI. Guam

Taking note of the working paper prepared by the Secretariat on Guam[13] and other relevant information,

Aware that under United States law the relations between the territorial Government and the federal Government in all matters not the programme responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,[14]

Recalling that, in a referendum held in 1987, the registered and eligible voters of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power, providing for a greater measure of internal self-government for Guam and recognition of the right of the Chamorro people of Guam to self-determination for the Territory,

Recalling also the previously expressed requests by the elected representatives and non-governmental organizations of the Territory that Guam not be removed from the list of the Non-Self-Governing Territories with which the Special Committee is concerned, pending the self-determination of the Chamorro people and taking into account their legitimate rights and interests,

Aware that negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act ended in 1997 and that Guam has subsequently established a non-binding plebiscite process for a self-determination vote by the eligible Chamorro voters,

Cognizant that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

Aware of deep concerns expressed by civil society and others, including at the 2008 Pacific regional seminar, regarding the potential social and other impacts of the impending transfer of additional military personnel of the administering Power to the Territory,

[13] A/AC.109/2008/15.

[14] United States Congress, Organic Act of Guam, 1950, as amended.

Aware also of the austerity and fiscal measures undertaken by the territorial Government since 2007, when the Governor declared a financial "state of emergency",

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

1. *Calls once again upon* the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the referendum of 1987 and as subsequently provided for in Guam law regarding Chamorro self-determination efforts, and encourages the administering Power and the territorial Government to enter into negotiations on the matter;

2. *Requests* the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory, to continue to recognize and to respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam and to take all necessary measures to address the concerns of the territorial Government with regard to the question of immigration;

3. *Also requests* the administering Power to cooperate in establishing programmes for the sustainable development of the economic activities and enterprises of the Territory, noting the special role of the Chamorro people in the development of Guam;

4. *Recalls* the previously made request by the elected Governor to the administering Power to lift restrictions to allow for foreign airlines to transport passengers between Guam and the United States of America to provide for a more competitive market and increased visitor arrivals;

5. *Requests* the administering Power to assist the Territory by facilitating public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

VII. Montserrat

Taking note of the working paper prepared by the Secretariat on Montserrat[15] and other relevant information,

Recalling the 2002 report of the Constitutional Review Commission, the convening of a committee of the House of Assembly in 2005 to review the report and the subsequent discussions between the administering Power and the territorial Government on internal constitutional advancement and devolution of power,

Noting that the negotiating process with the administering Power on a draft constitution, expected to be finalized in the first quarter of 2007, is in progress and that talks, postponed at the request of the territorial Government since more time was needed, are expected to resume in the course of 2008,

Aware that Montserrat continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

[15] A/AC.109/2008/16.

Recalling the statements made by participants at the 2007 Caribbean regional seminar encouraging the administering Power to commit sufficient resources to meet the Territory's special needs,

Noting with concern the continued consequences of the volcanic eruption, which led to the evacuation of three quarters of the Territory's population to safe areas of the island and to areas outside the Territory, which continues to have enduring consequences for the economy of the island,

Acknowledging the continued assistance provided to the Territory by States members of the Caribbean Community, in particular Antigua and Barbuda, which has offered safe refuge and access to educational and health facilities, as well as employment for thousands who have left the Territory,

Noting the continuing efforts of the administering Power and the territorial Government to deal with the consequences of the volcanic eruption,

1. *Welcomes* the efforts of the territorial Government to continue to negotiate improvements to the Constitution of the Territory so as to preserve its ability to move towards greater self-determination at a later stage;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Calls upon* the administering Power, the specialized agencies and other organizations of the United Nations system, as well as regional and other organizations, to continue to provide assistance to the Territory in alleviating the consequences of the volcanic eruption;

VIII. Pitcairn

Taking note of the working paper prepared by the Secretariat on Pitcairn[16] and other relevant information,

Taking into account the unique character of Pitcairn in terms of population and area,

Noting that the internal review of the Constitution of the Territory is still deferred,

Aware that the administering Power and the territorial Government are in the process of restructuring the relationship between the Governor's Office and the territorial Government, based on consultations with the people of the Territory, and that Pitcairn continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

1. *Welcomes* all efforts by the administering Power that would devolve operational responsibilities to the territorial Government, with a view to expanding self-government;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter

[16] A/AC.109/2008/4.

of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Requests* the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory and to continue its discussions with the territorial Government on how best to support economic security in Pitcairn;

IX. Saint Helena

Taking note of the working paper prepared by the Secretariat on Saint Helena[17] and other relevant information,

Taking into account the unique character of Saint Helena in terms of its population, geography and natural resources,

Noting the internal constitutional review process led by the territorial Government since 2001, the completion of a draft constitution following negotiations between the administering Power and the territorial Government in 2003 and 2004, the consultative poll with regard to a new constitution, held in Saint Helena in May 2005, the subsequent preparation of a revised draft constitution as a basis for discussion and the efforts of the territorial Government to keep the constitutional review exercise high on its agenda, including through public meetings,

Noting in that regard the importance of the right to nationality for Saint Helenians and their previously expressed request that the right, in principle, be included in a new constitution,

Aware that Saint Helena continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

Aware also of the efforts of the administering Power and the territorial Government to improve the socio-economic conditions of the population of Saint Helena, in particular in the areas of employment and transport and communications infrastructure,

Noting the efforts of the Territory to address the problem of unemployment on the island and the joint action of the administering Power and the territorial Government in dealing with it,

Noting also the importance of improving the infrastructure and accessibility of Saint Helena,

1. *Welcomes* the Territory's continuing constitutional review process, including the related public meetings, and calls upon the administering Power to take into account the previously expressed concerns of Saint Helenians with regard to the right to nationality;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

[17] A/AC.109/2008/6.

3. *Requests also* the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the Territory's socio-economic development challenges, including unemployment, and limited transport and communications infrastructure;

4. *Welcomes* the decision by the administering Power to provide funding for the construction of an international airport on Saint Helena, which is to become operational in 2011–2012, including all required infrastructure;

X. Turks and Caicos Islands

Taking note of the working paper prepared by the Secretariat on the Turks and Caicos Islands[18] and other relevant information,

Recalling the dispatch of the United Nations special mission to the Turks and Caicos Islands in 2006, at the request of the territorial Government and with the concurrence of the administering Power,

Recalling also the 2002 report of the Constitutional Modernization Review Body, and acknowledging the Constitution agreed between the administering Power and the territorial Government, which entered into force in 2006,

Noting that the 2006 Constitution of the Turks and Caicos Islands provides for a Governor, who maintains reserved powers in the Territory, to be appointed by the administering Power,

Acknowledging the significant and steady period of economic expansion fuelled by the continuing growth of high-end tourism and related real estate development,

1. *Recalls* the Constitution of the Territory, which took effect in 2006, and notes the view of the territorial Government that there remains scope for a degree of delegation of the Governor's power to the Territory so as to secure greater autonomy;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Also welcomes* the continuing efforts made by the Government addressing the need for attention to be paid to the enhancement of social cohesion across the Territory;

XI. United States Virgin Islands

Taking note of the working paper prepared by the Secretariat on the United States Virgin Islands[19] and other relevant information,

Aware that under United States law the relations between the territorial Government and the federal Government in all matters not the programme

[18] A/AC.109/2008/12.
[19] A/AC.109/2008/17.

responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,[20]

Aware also of the ongoing Constitutional Convention, the fifth attempt of the Territory to review the existing Revised Organic Act, which organizes its internal governance arrangements, as well as the various related efforts in implementing a public education programme on the Constitution, as outlined in a statement by a participant from the Territory presented to the 2008 Pacific regional seminar,

Cognizant of the potential usefulness of regional ties for the development of a small island Territory,

1. *Welcomes* the establishment of the Constitutional Convention in 2007 and requests the administering Power to assist the territorial Government in achieving its political, economic and social goals, in particular the successful conclusion of the ongoing internal Constitutional Convention exercise;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning a public education programme, consistent with Article 73 *b* of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Reiterates its call* for the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

4. *Appreciates* the efforts made to continue the work of the Inter-Virgin Islands Council between the elected Governments of the United States Virgin Islands and the British Virgin Islands to advance cooperation between the two neighbouring Territories.

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[20] United States Congress, Revised Organic Act, 1954.

United Nations A/AC.109/2008/L.10

General Assembly

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chairman

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all its subsequent resolutions concerning the implementation of the Declaration, the most recent of which was resolution 62/120 of 17 December 2007, as well as the relevant resolutions of the Security Council,

Bearing in mind its resolution 55/146 of 8 December 2000, by which it declared the period 2001-2010 the Second International Decade for the Eradication of Colonialism, and the need to examine ways to ascertain the wishes of the peoples of the Non-Self-Governing Territories on the basis of resolution 1514 (XV) and other relevant resolutions on decolonization,

Recognizing that the eradication of colonialism has been one of the priorities of the United Nations and continues to be one of its priorities for the decade that began in 2001,

Reconfirming the need to take measures to eliminate colonialism by 2010, as called for in its resolution 55/146,

Reiterating its conviction of the need for the eradication of colonialism, as well as racial discrimination and violations of basic human rights,

[1] To be issued as *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23).

08-36405 (E) 090608

Noting with satisfaction the achievements of the Special Committee in contributing to the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations on decolonization,

Stressing the importance of the formal participation of the administering Powers in the work of the Special Committee,

Noting with interest the cooperation and active participation of some administering Powers in the work of the Special Committee, and encouraging the others also to do so,

Taking note that the Pacific regional seminar was held in Bandung, Indonesia, from 14 to 16 May 2008,

1. *Reaffirms* its resolution 1514 (XV) and all other resolutions and decisions on decolonization, including its resolution 55/146, by which it declared the period 2001-2010 the Second International Decade for the Eradication of Colonialism, and calls upon the administering Powers, in accordance with those resolutions, to take all necessary steps to enable the peoples of the Non-Self-Governing Territories concerned to exercise fully as soon as possible their right to self-determination, including independence;

2. *Reaffirms once again* that the existence of colonialism in any form or manifestation, including economic exploitation, is incompatible with the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;[2]

3. *Reaffirms its determination* to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism and the faithful observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

4. *Affirms once again its support* for the aspirations of the peoples under colonial rule to exercise their right to self-determination, including independence, in accordance with relevant resolutions of the United Nations on decolonization;

5. *Calls upon* the administering Powers to cooperate fully with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to develop and finalize, before the end of the Second International Decade for the Eradication of Colonialism, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

6. *Recalls with satisfaction* the professional, open and transparent conduct of both the February 2006 and October 2007 referendums to determine the future status of Tokelau, monitored by the United Nations;

7. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out the actions approved by the General Assembly regarding the International Decade for

[2] Resolution 217 A (III).

the Eradication of Colonialism and the Second International Decade for the Eradication of Colonialism in all Territories that have not yet exercised their right to self-determination, including independence, and in particular:

(a) To formulate specific proposals to bring about an end to colonialism and to report thereon to the General Assembly at its sixty-fourth session;

(b) To continue to examine the implementation by Member States of resolution 1514 (XV) and other relevant resolutions on decolonization;

(c) To continue to examine the political, economic and social situation in the Non-Self-Governing Territories, and to recommend, as appropriate, to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, including independence, in accordance with relevant resolutions on decolonization, including resolutions on specific Territories;

(d) To develop and finalize, before the end of the Second International Decade for the Eradication of Colonialism and in cooperation with the administering Power and the Territory in question, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

(e) To continue to dispatch visiting and special missions to the Non-Self-Governing Territories in accordance with relevant resolutions on decolonization, including resolutions on specific Territories;

(f) To conduct seminars, as appropriate, for the purpose of receiving and disseminating information on the work of the Special Committee, and to facilitate participation by the peoples of the Non-Self-Governing Territories in those seminars;

(g) To take all necessary steps to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

(h) To observe annually the Week of Solidarity with the Peoples of Non-Self-Governing Territories;[3]

8. *Recognizes* that the plan of action for the Second International Decade for the Eradication of Colonialism[4] represents an important legislative authority for the attainment of self-government by the Non-Self-Governing Territories, and that the case-by-case assessment of the attainment of self-government in each Territory can make an important contribution to this process;

9. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system, to give effect within their respective spheres of competence to the recommendations of the Special Committee for the implementation of the Declaration and other relevant resolutions of the United Nations;

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[3] See resolution 54/91.

[4] A/56/61, annex.

10. *Calls upon* the administering Powers to ensure that economic and other activities in the Non-Self-Governing Territories under their administration do not adversely affect the interests of the peoples but instead promote development, and to assist them in the exercise of their right to self-determination;

11. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable rights of the peoples of the Non-Self-Governing Territories to their natural resources, and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

12. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide moral and material assistance as needed to the peoples of the Non-Self-Governing Territories, and requests the administering Powers to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of those Territories;

13. *Reaffirms* that the United Nations visiting missions to the Territories are an effective means of ascertaining the situation in the Territories, as well as the wishes and aspirations of their inhabitants, and calls upon the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and to facilitate visiting missions to the Territories;

14. *Calls upon* all the administering Powers to cooperate fully in the work of the Special Committee and to participate formally in its future sessions;

15. *Requests* the Secretary-General, the specialized agencies and other organizations of the United Nations system to provide economic, social and other assistance to the Non-Self-Governing Territories and to continue to do so, as appropriate, after they exercise their right to self-determination, including independence;

16. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples covering its work during 2008,[1] including the programme of work envisaged for 2009;

17. *Requests* the Secretary-General to provide the Special Committee with the facilities and services required for the implementation of the present resolution, as well as the other resolutions and decisions on decolonization adopted by the General Assembly and the Special Committee.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chairman

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

The General Assembly,

Having considered the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

Having also considered the report of the Secretary-General[1] and the report of the Economic and Social Council[2] on the item,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,[3]

Recalling its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960 and the resolutions of the Special Committee, as well as other relevant resolutions and decisions, including in particular Economic and Social Council resolution 2007/25 of 26 July 2007,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

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[1] A/63/61.

[2] To be issued as E/2008/47.

[3] To be issued as *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. VI.

08-36411 (E) 060608

Conscious of the need to facilitate the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514 (XV),

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Welcoming the assistance extended to Non-Self-Governing Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Also welcoming the participation in the capacity of observers of those Non-Self-Governing Territories that are associate members of regional commissions in the world conferences in the economic and social sphere, subject to the rules of procedure of the General Assembly and in accordance with relevant United Nations resolutions and decisions, including resolutions and decisions of the Assembly and the Special Committee on specific Territories,

Noting that only some specialized agencies and other organizations of the United Nations system have been involved in providing assistance to Non-Self-Governing Territories,

Stressing that, because the development options of the small island Non-Self-Governing Territories are limited, there are special challenges to planning for and implementing sustainable development and that those Territories will be constrained in meeting the challenges without the continuing cooperation and assistance of the specialized agencies and other organizations of the United Nations system,

Stressing also the importance of securing the necessary resources for funding expanded programmes of assistance for the peoples concerned and the need to enlist the support of all major funding institutions within the United Nations system in that regard,

Reaffirming the mandates of the specialized agencies and other organizations of the United Nations system to take all appropriate measures, within their respective spheres of competence, to ensure the full implementation of General Assembly resolution 1514 (XV) and other relevant resolutions,

Expressing its appreciation to the African Union, the Pacific Islands Forum, the Caribbean Community and other regional organizations for the continued cooperation and assistance they have extended to the specialized agencies and other organizations of the United Nations system in this regard,

Expressing its conviction that closer contacts and consultations between and among the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of programmes of assistance to the peoples concerned,

Mindful of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various United Nations resolutions and decisions relating to decolonization,

Bearing in mind the extremely fragile economies of the small island Non-Self-Governing Territories and their vulnerability to natural disasters, such as hurricanes, cyclones and sea-level rise, and recalling the relevant resolutions of the General Assembly,

Recalling its resolution 62/114 of 17 December 2007 on the implementation of the Declaration by the specialized agencies and the international institutions associated with the United Nations,

1. *Takes note* of the report of the Secretary-General;[1]

2. *Recommends* that all States intensify their efforts in the specialized agencies and other organizations of the United Nations system in which they are members to ensure the full and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and other relevant resolutions of the United Nations;

3. *Reaffirms* that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute to the implementation of the Declaration and all other relevant resolutions of the General Assembly;

4. *Reaffirms also* that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the aspirations of the peoples of the Non-Self-Governing Territories to exercise their right to self-determination entails, as a corollary, the extension of all appropriate assistance to those peoples;

5. *Expresses its appreciation* to those specialized agencies and other organizations of the United Nations system that have continued to cooperate with the United Nations and the regional and subregional organizations in the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations, and requests all the specialized agencies and other organizations of the United Nations system to implement the relevant provisions of those resolutions;

6. *Requests* the specialized agencies and other organizations of the United Nations system and international and regional organizations to examine and review conditions in each Territory so as to take appropriate measures to accelerate progress in the economic and social sectors of the Territories;

7. *Urges* those specialized agencies and other organizations of the United Nations system that have not yet provided assistance to Non-Self-Governing Territories to do so as soon as possible;

8. *Requests* the specialized agencies and other organizations and institutions of the United Nations system and regional organizations to strengthen existing measures of support and formulate appropriate programmes of assistance to the remaining Non-Self-Governing Territories, within the framework of their respective mandates, in order to accelerate progress in the economic and social sectors of those Territories;

9. *Requests* the specialized agencies and other organizations of the United Nations system concerned to provide information on:

(a) Environmental problems facing the Non-Self-Governing Territories;

(b) The impact of natural disasters, such as hurricanes and volcanic eruptions, and other environmental problems, such as beach and coastal erosion and droughts, on those Territories;

(c) Ways and means to assist the Territories to fight drug trafficking, money-laundering and other illegal and criminal activities;

(d) Illegal exploitation of the marine and other natural resources of the Territories and the need to utilize those resources for the benefit of the peoples of the Territories;

10. *Recommends* that the executive heads of the specialized agencies and other organizations of the United Nations system formulate, with the active cooperation of the regional organizations concerned, concrete proposals for the full implementation of the relevant resolutions of the United Nations and submit the proposals to their governing and legislative organs;

11. *Also recommends* that the specialized agencies and other organizations of the United Nations system continue to review at the regular meetings of their governing bodies the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

12. *Recalls* the adoption by the Economic Commission for Latin America and the Caribbean of its resolution 574 (XXVII) of 16 May 1998,[4] calling for the necessary mechanisms for its associate members, including Non-Self-Governing Territories, to participate in the special sessions of the General Assembly, subject to the rules of procedure of the Assembly, to review and assess the implementation of the plans of action of those United Nations world conferences in which the Territories originally participated in the capacity of observer, and in the work of the Economic and Social Council and its subsidiary bodies;

13. *Requests* the Chairperson of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to maintain close contact on these matters with the President of the Economic and Social Council;

14. *Welcomes* the publication by the Department of Public Information and the Department of Political Affairs of the Secretariat, in consultation with the United Nations Development Programme, the specialized agencies and the Special Committee, of an information leaflet on assistance programmes available to the Non-Self-Governing Territories, and requests that it be disseminated widely;

15. *Welcomes also* the continuing efforts made by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system, including the Economic Commission for Latin America and the Caribbean and the Economic and

[4] See *Official Records of the Economic and Social Council, 1998, Supplement No. 21* (E/1998/41), chap. III.G.

Social Commission for Asia and the Pacific, and in providing assistance to the peoples of the Non-Self-Governing Territories;

16. *Encourages* the Non-Self-Governing Territories to take steps to establish and/or strengthen disaster preparedness and management institutions and policies, inter alia, with the assistance of the relevant specialized agencies;

17. *Requests* the administering Powers concerned to facilitate, when appropriate, the participation of appointed and elected representatives of Non-Self-Governing Territories in the relevant meetings and conferences of the specialized agencies and other organizations of the United Nations system, in accordance with relevant resolutions and decisions of the United Nations, including resolutions and decisions of the General Assembly and the Special Committee on specific Territories, so that the Territories may benefit from the related activities of those agencies and organizations;

18. *Recommends* that all Governments intensify their efforts in the specialized agencies and other organizations of the United Nations system of which they are members to accord priority to the question of providing assistance to the peoples of the Non-Self-Governing Territories;

19. *Requests* the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

20. *Commends* the Economic and Social Council for its debate and resolution on this question, and requests it to continue to consider, in consultation with the Special Committee, appropriate measures for the coordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

21. *Requests* the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

22. *Requests* the Secretary-General to transmit the present resolution to the governing bodies of the appropriate specialized agencies and international institutions associated with the United Nations so that those bodies may take the necessary measures to implement the resolution, and also requests the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution;

23. *Requests* the Special Committee to continue to examine the question and to report thereon to the General Assembly at its sixty-fourth session.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolution submitted by the Chairman

Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

The General Assembly,

Having considered the item entitled "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories",

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,[1]

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, as well as all other relevant resolutions of the Assembly, including, in particular, resolutions 46/181 of 19 December 1991 and 55/146 of 8 December 2000,

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that any economic or other activity that has a negative impact on the interests of the peoples of the Non-Self-Governing Territories and on the exercise of their right to self-determination in conformity with the Charter and General Assembly resolution 1514 (XV) is contrary to the purposes and principles of the Charter,

Reaffirming further that the natural resources are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations,

[1] To be issued as *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. V.

08-36417 (E) 110608

Aware of the special circumstances of the geographical location, size and economic conditions of each Territory, and bearing in mind the need to promote the economic stability, diversification and strengthening of the economy of each Territory,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Conscious also that foreign economic investment, when undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes, could make a valid contribution to the socio-economic development of the Territories and also to the exercise of their right to self-determination,

Concerned about any activities aimed at exploiting the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the African Union, the Pacific Islands Forum and the Caribbean Community,

1. *Reaffirms* the right of peoples of Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as their right to the enjoyment of their natural resources and their right to dispose of those resources in their best interest;

2. *Affirms* the value of foreign economic investment undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes in order to make a valid contribution to the socio-economic development of the Territories;

3. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the political, economic, social and educational advancement of the Non-Self-Governing Territories, and reaffirms the legitimate rights of their peoples over their natural resources;

4. *Reaffirms its concern* about any activities aimed at the exploitation of the natural resources that are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations, in the Caribbean, the Pacific and other regions, and of their human resources, to the detriment of their interests, and in such a way as to deprive them of their right to dispose of those resources;

5. *Reaffirms* the need to avoid any economic and other activities that adversely affect the interests of the peoples of the Non-Self-Governing Territories;

6. *Calls once again upon* all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in the Non-Self-Governing Territories that are detrimental to the

interests of the inhabitants of those Territories, in order to put an end to such enterprises;

7. *Calls upon* the administering Powers to ensure that the exploitation of the marine and other natural resources in the Non-Self-Governing Territories under their administration is not in violation of the relevant resolutions of the United Nations, and does not adversely affect the interests of the peoples of those Territories;

8. *Invites* all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of the Non-Self-Governing Territories over their natural resources is fully respected and safeguarded in accordance with the relevant resolutions of the United Nations on decolonization;

9. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories in accordance with the relevant resolutions of the United Nations on decolonization;

10. *Calls upon* the administering Powers concerned to ensure that no discriminatory working conditions prevail in the Territories under their administration and to promote in each Territory a fair system of wages applicable to all the inhabitants without any discrimination;

11. *Requests* the Secretary-General to continue, through all means at his disposal, to inform world public opinion of any activity that affects the exercise of the right of the peoples of the Non-Self-Governing Territories to self-determination in conformity with the Charter and General Assembly resolution 1514 (XV);

12. *Appeals* to trade unions and non-governmental organizations, as well as individuals, to continue their efforts to promote the economic well-being of the peoples of the Non-Self-Governing Territories, and also appeals to the media to disseminate information about the developments in this regard;

13. *Decides* to follow the situation in the Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of their peoples, including the indigenous populations, and at promoting the economic and financial viability of those Territories;

14. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its sixty-fourth session.

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General Assembly

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19 June 2008

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Fiji and Papua New Guinea: draft resolution

Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia,[1]

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

[1] To be issued as *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. VIII.

08-39075 (E) 190608

1. *Welcomes* the significant developments that have taken place in New Caledonia since the signing of the Nouméa Accord of 5 May 1998 by the representatives of New Caledonia and the Government of France;[2]

2. *Urges* all the parties involved, in the interest of all the people of New Caledonia, to maintain, in the framework of the Nouméa Accord, their dialogue in a spirit of harmony;

3. *Notes* the relevant provisions of the Nouméa Accord aimed at taking more broadly into account the Kanak identity in the political and social organization of New Caledonia, and welcomes, in this context, efforts under way towards devising common identity symbols, such as name, flag, anthem, motto and banknotes, as required by the Nouméa Accord;

4. *Acknowledges* those provisions of the Nouméa Accord relating to control of immigration and protection of local employment, and notes that unemployment remains high among Kanaks and that recruitment of foreign mine workers continues;

5. *Notes* the concerns expressed by a group of indigenous people in New Caledonia regarding their underrepresentation in the Territory's governmental and social structures;

6. *Takes note* of the relevant provisions of the Nouméa Accord to the effect that New Caledonia may become a member or associate member of certain international organizations, such as international organizations in the Pacific region, the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization, according to their regulations;

7. *Notes* the agreement between the signatories of the Nouméa Accord that the progress made in the emancipation process shall be brought to the attention of the United Nations;

8. *Recalls* the fact that the administering Power invited to New Caledonia, at the time the new institutions were established, a mission of information which comprised representatives of countries of the Pacific region;

9. *Notes* the continuing strengthening of ties between New Caledonia and both the European Union and the European Development Fund in such areas as economic and trade cooperation, the environment, climate change and financial services;

10. *Calls upon* the administering Power to continue to transmit to the Secretary-General information as required under Article 73 *e* of the Charter of the United Nations;

11. *Invites* all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all sectors of the population, according to the letter and the spirit of the Nouméa Accord, which is based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

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[2] A/AC.109/2114, annex.

12. *Recalls with satisfaction* the efforts of the French authorities to resolve the question of voter registration by adopting, in the French Congress of Parliament, on 19 February 2007, amendments to the French Constitution allowing New Caledonia to restrict eligibility to vote in local polls to those voters registered on the 1998 electoral rolls when the Nouméa Accord was signed, thus ensuring strong representation of the Kanak population;

13. *Welcomes* all measures taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon and Nouméa Accords;

14. *Also welcomes* the importance attached by the parties to the Matignon and Nouméa Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

15. *Notes* the financial assistance rendered by the Government of France to the Territory in areas such as health, education, payment of public-service salaries and funding development schemes;

16. *Acknowledges* the contribution of the Melanesian Cultural Centre to the protection of the indigenous Kanak culture of New Caledonia;

17. *Notes* the positive initiatives aimed at protecting the natural environment of New Caledonia, including the "Zonéco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

18. *Welcomes* the cooperation among Australia, France and New Zealand in terms of surveillance of fishing zones, in accordance with the wishes expressed by France during the France-Oceania Summits in July 2003 and June 2006;

19. *Acknowledges* the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and territorial authorities to facilitate the further development of those links, including the development of closer relations with the countries members of the Pacific Islands Forum;

20. *Welcomes*, in this regard, the participation of New Caledonia in the Pacific Islands Forum, following its accession to the Forum as associate member in October 2006, at the 37th Summit of the Forum;

21. *Also welcomes* the continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to countries members of the Pacific Islands Forum;

22. *Further welcomes* the cooperative attitude of other States and Territories in the region towards New Caledonia, its economic and political aspirations and its increasing participation in regional and international affairs;

23. *Recalls* the endorsement of the report of the Forum Ministerial Committee on New Caledonia by leaders of the Pacific Islands Forum at its 36th Summit, in Papua New Guinea in October 2005, and the continuing role of the Forum Ministerial Committee in monitoring developments in the Territory and encouraging closer regional engagements;

24. *Decides* to keep under continuous review the process unfolding in New Caledonia as a result of the signing of the Nouméa Accord;

25. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue the examination of the question of the Non-Self-Governing Territory of New Caledonia and to report thereon to the General Assembly at its sixty-fourth session.

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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Report of the Special Committee

Chairman: Mr. R. M. Marty M. **Natalegawa** (Indonesia)

1. At its 10th meeting, on 19 June 2008, the Special Committee considered pending matters related to its work and took decisions on the agenda items listed below.

Question of holding a series of meetings away from Headquarters

2. The General Assembly, by paragraph 6 of its resolution 1654 (XVI), authorized the Special Committee to meet elsewhere than at United Nations Headquarters whenever and wherever such meetings might be required for the effective discharge of its functions. By paragraph 3 (9) of the programme of action for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 2621 (XXV), the Assembly directed the Committee to continue to hold meetings away from Headquarters, as appropriate.

3. In that connection, the Special Committee decided to consider accepting such invitations as might be received in 2009 and, when particulars of such meetings become known, it would request the Secretary-General to seek the necessary budgetary provisions in accordance with established procedure.

Representation at seminars, meetings and conferences of intergovernmental and other organizations

4. The Special Committee decided to recommend to the General Assembly that the Committee continue to be represented at seminars, meetings and conferences organized by United Nations bodies and other intergovernmental and non-governmental organizations active in the field of decolonization. In keeping with its decision of 28 February 2008, the Committee would authorize its Chairman to hold consultations, as appropriate, concerning its participation in those meetings, as well as the level of representation, when accepting invitations. In accordance

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with established practice and on the basis of the principle of rotation, the Chairman would hold consultations with the Bureau members, who, in turn, would consult with the members of the Committee from their respective regional groups. The Chairman would also hold consultations with a member of the Committee whose regional group is not represented in the Bureau. The Special Committee decided to recommend that the General Assembly make appropriate budgetary provisions to cover such activities in 2009.

Pattern of conferences

5. The Special Committee noted that, during the year, it had closely followed the guidelines set forth in the resolutions of the General Assembly on the pattern of conferences, in particular resolution 62/225. By organizing its programme of work effectively and holding extensive consultations, the Committee had been able to curtail considerably the number of its formal meetings. The Special Committee decided to continue to make optimum and effective use of conference-servicing resources.

6. The Special Committee also decided, taking into account the probable workload of the Committee for 2009, to consider holding its meetings in accordance with the following schedule:

(a)	*Plenary*	
	February/March	As required
	June/July	Up to 30 meetings (6 to 8 meetings a week)
(b)	*Bureau*	
	February/July	20 meetings

7. It would be understood that that programme would not preclude the holding of any ad hoc meetings that might be warranted and that the Special Committee might, in early 2009, review the scheduled meetings on the basis of any new developments. The Committee would, subject to any directives given by the General Assembly, strive to keep its meetings to a minimum, while fulfilling its mandate.

Control and limitation of documentation

8. The Special Committee noted that, during the year, it had taken further measures to control and limit its documentation in compliance with the relevant resolutions of the General Assembly, in particular resolutions 34/50, 39/68, 51/211 B and 62/225. The Special Committee, consistent with the goal of limiting documentation, decided to continue to streamline its report to the Assembly.

9. At its 7th meeting, on 16 June 2004, the Special Committee decided to further limit its documentation and no longer issue as separate documents the resolutions adopted by the Committee during its substantive session, thus achieving further savings in costs related to the publication of its official documents.

10. By its resolution 50/206 B, the General Assembly approved the recommendation of the Special Committee to replace its verbatim records by

summary records. Having reviewed the need for such records, the Special Committee decided to maintain its summary records.

Question of the list of Territories to which the Declaration is applicable

11. The Special Committee decided to continue consideration of the question at its next session, subject to any directives that the General Assembly might give at its sixty-third session.

Second International Decade for the Eradication of Colonialism

12. Noting that the Plan of Action for the Second International Decade for the Eradication of Colonialism, referred to in General Assembly resolution 55/146 and contained in the annex to the report of the Secretary-General (A/56/61), provided for the holding of seminars alternately in the Caribbean and the Pacific regions, as well as at United Nations Headquarters, and subject to any directives that the Assembly might give at its sixty-third session in this regard, the Special Committee decided to organize in 2009 a seminar in the Caribbean region, to be attended by representatives of all Non-Self-Governing Territories.

13. The Special Committee also decided to invite United Nations organs, agencies and institutions to apprise the Secretary-General of the actions they have taken in implementation of General Assembly resolution 55/146 and to submit a report to the Assembly at its sixty-fourth session, subject to any directives that the Assembly might give at its sixty-third session with regard to the Second International Decade for the Eradication of Colonialism.

Participation of representatives of Non-Self-Governing Territories in the work of the Special Committee

14. The Special Committee decided to recommend that the participation of representatives of Non-Self-Governing Territories in the work of the Committee at Headquarters, as recommended by the Plan of Action for the Second International Decade for the Eradication of Colonialism, should continue to be facilitated through the reimbursement by the United Nations of the expenses relating to their participation under the terms of the guidelines amended by the Committee and approved by the General Assembly at its forty-eighth session. In that regard, the Special Committee decided to consider the guidelines at its plenary meetings with a view to amending them further, where appropriate.